IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL REVISION APPLICATION NO. 232 OF 1987

Smt.Anjanabai Bhau Choudhari Applicant

Vs.

Shri Bhagwan Shankar Choudhari & ors. Respondents

Mr.R.S.Sapkal for applicant.
Ms.Geeta Mulekar, AGP for respondent no.7.

CORAM: B.H.MARLAPALLE,J.
July 26, 2005.

ORAL ORDER:

. In Civil Suit No.149 of 1980 an application at Exhibit 41 came to be filed by the plaintiff so as to bring the LRs of Defendant No.1 on record. This application was presented on or about 29-4-1983 and the defendant no.1 reportedly died on 17-3-1983. On 9-1-1987 the learned Judge was pleased to reject the said application at Exhibit 41 and in this revision application the said order has been assailed.

. Though this revision application was pending as on 1-7-2002, in view of the law laid down in the case of Shiv Shakti Co-op. Housing Society, Nagpur vs. M/s. Swaraj Developers **[AIR 2003 SC 2434]** regarding interpretation of Section 115 of CPC on its amendment from the said date this revision

application has to be dismissed as not maintainable.

. The civil revision application is hereby dismissed. Rule discharged with no order as to costs.

(B.H.MARLAPALLE,J.)